

**REMARKS**

Claims 1-6 and 8-20 are all the claims pending in the application.

***Allowable Subject Matter***

Applicants thank the Examiner for indicating that claims 1-6 and 8-16 are allowed.

Applicants also thank the Examiner for indicating that claims 18 and 20 would be allowed if rewritten in independent form. However, Applicants respectfully request that the Examiner hold in abeyance such rewriting of the claims until the Examiner has had an opportunity to reconsider and withdraw the prior art rejection of the other claims.

Applicants do not acquiesce to the Examiner's reasons for allowance.

***Claim Rejections - 35 U.S.C. § 103***

Claims 17 and 19 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 5,977,654 to Johnson *et al.* ("Johnson") in view of U.S. Patent No. 6,876,292 to Onuma *et al.* ("Onuma"). For *at least* the following reasons, Applicants respectfully traverse the rejection.

Applicants respectfully submit that claim 17 is patentable over the combination of Johnson and Onuma. Claim 17 relates to a burglarproof device for a vehicle. The burglarproof device comprises, *inter alia*, a portable transmitter, an activation unit for the vehicle, and an engine operation restraining unit. The portable transmitter has a first switch which transmits a preset first ID code. The activation unit receives the first ID code from the portable transmitter and collates the first ID code with a prestored second ID code, such that a locked state of a vehicle operation device for the vehicle is released when the activation unit receives the first ID code. The engine operation restraining unit disables an engine operation based on a signal from

the activation unit. The transmission of the preset first ID code by the portable transmitter to the activation unit is **a final communication between the portable transmitter and the activation unit** that causes the activation unit to **release** the vehicle operation device and causes the activation unit to send the signal to the engine operation restraining unit to **disable** the engine operation.

In the Office Action, the Examiner alleges that the control portion 28 of the anti-theft system 26 in Johnson discloses the claimed activation unit and the claimed engine operation restraining unit (*see* Johnson: figures 1 and 2). The Examiner further alleges that col. 5, lines 25-32 of Johnson disclose that the signal transmitted from a fob transmitter 60 to arm/disarm the system 26 is a final communication between the fob transmitter 60 and the control portion 28 that causes the control portion 28 to release a vehicle operation device and disable the engine operation in Johnson. Applicants respectfully submit that the Examiner is misinterpreting the teachings of the Johnson reference.

For instance, Johnson discloses an anti-theft system directed to detect unauthorized vehicle start-up when the system receives a coded frequency signal from a fob transmitter 60 to arm or disarm the system 26. If the system 26 is currently armed, the control portion 28 will cause the system 26 to become disarmed, allowing the vehicle engine to be freely started. However, if the system 26 is currently disarmed, receipt of the *valid* coded signal will cause the control portion 28 to arm the system, and prevent the engine from remaining running if a vehicle start-up is detected (Johnson, Abstract, col. 5, line 53 to col. 6, line 12).

The signal from the fob transmitter 60 is transmitted to arm the system 26 or to disarm the system 26, but the same signal does not cause both arming and disarming of the system 26. On the other hand, claim 17 recites that the transmission of the preset first ID code by the

portable transmitter to the activation unit is a final communication between the portable transmitter and the activation unit that causes the activation unit to release the vehicle operation device and causes the activation unit to send the signal to the engine operation restraining unit to disable the engine operation.

Furthermore, in Johnson, there is no release of any vehicle operation device by the signal from the fob transmitter 60 which is used to arm or disarm the system. At most, Johnson discloses that the RF signal for a keyless entry system associated with the vehicle may be used to arm or disarm the system 26 (Johnson, col. 5, lines 43-53). However, when the keyless entry system of the vehicle is used in conjunction with the anti-theft system 26 in Johnson, the receiver 62 of the control portion 28 is configured to learn the coded frequency of the vehicle's remote keyless entry system so the receiver 62 itself responds to the RF signal from the keyless entry system transmitter. In this case, the claimed activation unit for the vehicle would correspond most closely to the keyless entry system in Johnson, which would receive the RF signal from the keyless entry system transmitter to unlock, e.g., a vehicle door. However, claim 17 recites that the engine operation restraining unit (allegedly the control portion 28) disables an engine operation based on a signal from the activation unit. In the instant scenario of Johnson, the keyless entry system does not send any signal to the control portion 28 to disarm the system 26, rather the receiver of the control portion 28 receives an RF signal from the keyless entry system directly to disarm the system 26.

Onuma is only cited for its disclosure of having an unlock ID code prior to a starting engine ID code, and as such does not cure the above-identified deficiencies of Johnson.

Therefore, Johnson and Onuma, alone or in combination, do not adequately disclose each and every interrelationship between the elements of claim 17. Accordingly, Applicants respectfully request the Examiner to withdraw the 35 U.S.C. § 103(a) rejection of claim 17.

Claim 19 recites features similar to those discussed above with respect to claim 17. Therefore, claim 19 is patentable for *at least* reasons similar to, but not necessarily coextensive with, those discussed above with respect to claim 19.

### ***Conclusion***

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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